

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

<b>MICHAEL BROWN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 1:21-CV-66 PLC</b>
	)	
<b>KILOLO KIJAKAZI,</b>	)	
<b>Acting Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Kilolo Kijakazi's motion to reverse the decision of the administrative law judge (ALJ) and remand this action to Defendant pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g). [ECF No. 22] Plaintiff Michael Brown has not responded.<sup>1</sup>

On April 20, 2021, Plaintiff filed a complaint seeking review of Defendant's decision that Plaintiff was not under a disability within the meaning of the Social Security Act. [ECF No. 1] Defendant filed a transcript of the administrative proceeding. [ECF No. 15] Plaintiff filed a brief in support of the complaint, as well as a statement of uncontroverted material facts. [ECF Nos. 16, 16-1]

By the instant motion, Defendant requests the Court reverse and remand the case for further action under 42 U.S.C. § 405(g), which permits the Court to "enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the

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<sup>1</sup> The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. 636(c)(1). [ECF No. 5]

Commissioner of Social Security, with or without remanding the case for a rehearing.” 42 U.S.C. § 405(g). Defendant states: “After careful review of the above-captioned case, agency counsel determined that remand was necessary for further evaluation of Plaintiff’s claim.” [ECF No. 22]

Defendant explains that, on remand:

the Appeals Council will instruct the ALJ to fully evaluate whether the claimant was further limited during the relevant period by his use of a cane for ambulation and balance; consider and articulate the persuasiveness of all medical opinions of record, pursuant to governing regulations; take any other necessary actions to complete the administrative record; and issue a new decision.

[Id.] Defendant further states that “[r]emand would expedite [the] administrative review, would ensure that the Commissioner properly considers Plaintiff’s claim, and could make judicial review unnecessary.” [Id.]

Based on the record, the Court grants Defendant’s unopposed motion to reverse the ALJ’s decision and remand this matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

**IT IS HEREBY ORDERED** that Defendant’s unopposed motion to reverse and remand [ECF No. 22] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this same day.

  
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PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 28th day of February, 2022